GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Disciplinary proceedings against Sri K. Rama Krishna Sarma, the then Tahsildar, Kollipara (retired) and Sri Y.Hari Krishna, the then Mandal Surveyor, Kollipara Mandal under rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 - Article of Charges Issued – WSD Submitted – Inquiry Officer appointed – report submitted – disagreement factors communicated – explanation submitted – to impose a penalty of "withholding of 10% pension permanently" on Sri K.Rama Krishna Sarma, former Tahsildar, Kollipara Mandal (Retd) – Orders – Issued.

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REVENUE (VIGIALNCE-III) DEPARTMENT

G.O.Rt.No.885 Dated:26.09.2023

Read the following:

1. Vigilance Report.No.30 (C.No.306/V&E/NRI/2013, Dt:28.02.2014 of G.A (V&E) Department.
2. G.O.Ms.No.306, Rev (Vig.III) Dept., dt.05.09.2014.
3. G.O.Ms.No.307, Rev (Vig.III) Dept., dt.05.09.2014.
4. G.O Rt.No.802, Rev (Vig.III) Dept., dated 10.09.2014.
5. Written statement of defence dt:03.12.2014 of Sri K.R.K.Sarma, Tahsildar (Retd).
6. G.O.Rt.No.617, Revenue (Vig.III) Dept, Dt:04.06.2016.
7. From the Inquiry Authority & District Revenue Officer, Guntur District, Spl.Rc.No.1/DC/INQ/2021-DRO-GNT, Dt:01.04.2022.
8. Memo.No.9859/Vig.III(2)/2014, Revenue (Vig.III) Dept, Dt:18.08.2022.
9. Explanation dt:28.09.2022 of Sri K.R.K.Sarman, former Tahsildar, Kollipara (M), Guntur District.
10. Memo.No.9859/Vig.III(2)/2014, Revenue (Vig.III) Dept, Dt:16.03.2023.
11. Explanation dt:11.04.2023 of Sri K.R.K.Sarma, Tahsildar (Retd), Guntur.
12. Govt.Letter.No.9859/Vig.III(2)/2014, Revenue (Vig.III) Dept, Dated:16.06.2023.
13. From the Secretary, APPSC, Lr.No.GAD03-APPS0DCC/68/2023-DC.SECAPPSC (Comp.No.2143362), Dt:09.08.2023

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ORDER:

Whereas, based on the recommendations of the Director General, General Administration (Vigilance & Enforcement) Department in the reference 1st read above, Common disciplinary proceedings have been instituted in the reference 2nd read above against Sri K.Rama Krishna Sarma, the then Tahsildar, Kollipara (retired) and Sri Y.Hari Krishna, the then Mandal Surveyor, Kollipara Mandal. Accordingly, in the reference 3rd read above sanction has been accorded under rule-9 of Andhra Pradesh Revised Pension Rules, 1980 against Sri K. Rama Krishna Sarma, the then Tahsildar, Kollipara (retired) and the following article of Charges have been instituted against him in the reference 4th read above. The Charged Officer has submitted written statement of defence denying the charges.

Article of Charge-I:

That, the said Sri K. Rama Krishna Sarma, formerly Tahsildar, Kollipara, who retired on 31.05.2013 on attaining the age of superannuation, being a responsible officer for issuing the way bills for transportation of sand from the patta lands situated in the Sy.Nos.193 & 197 of Bommuvaripalem Village of Kollipara Mandal, should some ensure that quarrying was done within the stipulated area where the permission was granted. But, the said Sri K. Rama Krishna Sarma, formerly Tahsildar, Kollipara has failed in ensuring the quarrying limits i.e., where the quarrying is done within the stipulated area. Moreover, he has simply submitted that he was unaware of the fact that decasting of sand was done beyond the patta lands of Sri Bommu Sambi Reddy in Sy.No.193 & 197. Upon the instructions of the PD, DWMA, to stop the issue of way bills, he has stopped further issuance of way bills. This shows the negligence of discharging his legitimate duties. Thus he violated Rule 3 of APCS (Conduct) Rules, 1964.

(P.T.O)

Article of Charges-II :

That, the said Sri K. Rama Krishna Sarma, formerly Tahsildar, Kollipara, who retired on 31.05.2013 on attaining the age of superannuation, being a responsible officer, failed in instructing the Surveyor who is kept additional charge of Kollipara Mandal to accompany him during his visit and check the boundaries before commencement of quarrying of sand by the lease holder. Instead, he reported that the Mandal Surveyor post was vacant then and the Mandal Surveyor of Amarthaluru was kept under additional charge and further stated that he was unaware of the fact that decasting of sand was done beyond the patta lands of Sri Bommu Sambi Reddy in Sy.No.193 & 197 of Bommuvanipalem, because during his visit the Mandal Surveyor was not available. Thus, he showed negligence in discharging his legitimate duties i.e., monitoring the lower level staff. Thus he violated Rule.3 of APCS (Conduct) Rules, 1964.

2. And whereas, as the explanation of the Charged Officer is not convincing, in the reference 6th read above, Government have appointed the District Revenue Officer, Guntur as Inquiry officer to inquiry into the charges framed against the Charged Officers in this case and Revenue Divisional Officer, Tenali was appointed as presenting officer. In the reference 7th read above, the Inquiry officer has submitted the enquiry report staging that the charges are not held proved against the both the Charged Officers.

3. And whereas, after careful examination of the findings of the Inquiry officer, Government, among others, have observed that Sri K.R.K. Sarma, Tahsildar (Retd) is the officer, who issued way bills for transportation of sand from the patta lands in the survey Nos. of 193 and 197. As such, he has to ensure before issue of way bills that quarrying is being done within the permitted area. He cannot escape from his responsibility that regular surveyor is not posted and his predecessor had already conducted the Survey and Demarcation of the lands in question were conducted prior to his joining as Tahsildar, Kollipara, Guntur District. He should have taken the assistance of the FAC surveyor and check the boundaries. Due to his inaction, the sand was decasted beyond the patta lands and huge loss occurred to the State exchequer. Hence, Government have disagreed with the findings of the Inquiry Authority and communicated a copy of the Inquiry report to Sri K. Rama Krishna Sarma, the then Tahsildar, Kollipara (retired) & others, in the reference 8th read above. Accordingly, in the reference 9th read above, the charged officer has submitted his explanation with a request to consider the report of the Inquiry officer, close the further action in this disciplinary case.

4. And whereas, after careful examination of the findings of the Inquiry officer and explanation of the Charged Officer, it is provisionally decided to impose a penalty of "withholding of 10% pension permanently" on Sri K.Rama Krishna Sarma, Tahsildar (Retd) under rule 9 of A.P.Revised Pension Rules. Accordingly, in the reference 10th read above, a show cause notice has been issued on Sri K.Rama Krishna Sarma (Retd) as to why the proposed punishment should not be imposed against him. In reply, he has submitted his explanation reiterating his earlier contentions and stated the provisional decision of the Government for imposing penalty withholding of 10% monthly pension permanently will be fatal to this innocent retired Government servant who rendered a sincere service.

5. And whereas, after careful examination of the further explanation of Sri K.Rama Krishna Sarma (Retd), Government decided to impose a penalty of "withholding of 10% pension permanently" on him, under Rule 9 of AP Revised Pension Rules, 1980. Accordingly, in the reference 12th read above, necessary proposals have been sent to the Secretary, Andhra Pradesh Public Service Commission with a request to obtain the concurrence of the Commission and furnish the same to Government for taking further action in the matter. In reply, in the reference 13th read above, the Secretary, Andhra Pradesh Public Service Commission has informed that Commission agreed with the provisional decision of the Government and advised accordingly.

Contd.,3

6. Government, after careful examination of the matter, have decided and hereby impose a penalty of "withholding of 10% pension permanently" against Sri K. Rama Krishna Sarma, the then Tahsildar, Kollipara (M), Guntur (retired), under Rule 9 of AP Revised Pension Rules, 1980, as the Charges are held proved against him.

7. The Chief Commissioner of Land Administration, A.P., Mangalagiri shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To:
Sri K. Rama Krishna Sarma, the then Tahsildar, Kollipara (M), Guntur (retired) through the Chief Commissioner of Land Administration, A.P., Mangalagiri.
The Chief Commissioner of Land Administration, A.P., Mangalagiri.
Copy to:
The Collector & District Magistrate, Guntur,
The Secretary, A.P.Public Service Commission, Vijayawada
The Secretary to Commissioner, A.P.Vigilance Commission, Velagapudi, Amaravati,
The Director of Treasuries & Accounts, A.P, Mangalagiri,
The Accountant General, A.P, Vijayawada
Sf/Sc

//FORWARDED:: BY ORDER//

SECTION OFFICER